

Appl. No. : 09/971,779
Filed : October 4, 2001

REMARKS

In the Office Action, the Examiner rejected Claims 5-17 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner indicated instances of lack of sufficient antecedent basis for claim limitations in rejected Claims. The Applicant notes that Claims 4-8 and 13-16 are cancelled by this paper. However, the Applicant notes that subject matter from the cancelled claims has been added to the base Claims 1 and 9. The Applicant believes that the subject matter from the cancelled claims as added to the base claims complies with the requirements of 35 U.S.C. § 112, second paragraph regarding antecedent support as well as all other requirements.

The Examiner also rejected Claim 17 under 35 U.S.C. § 112, second paragraph, with regards to the limitations of “inner surfaces” and “adjoining rear and roof coach panels” as an inner surface of rear coach panel was previously recited in Claim 1. The Applicant hereby amends Claim 17 to strike the reference to a “rear coach panel” and to reword the claim such that the claim recites elements that are either properly introduced in preceding claims or are newly introduced in Claim 17.

The Examiner also rejected Claims 1, 3-10, and 12-17 under 35 U.S.C. § 103(a) as being unpatentable over the Gillick et al. '545 reference in view of the Schoenbachler et al. '885 reference and the Browne '502 reference. Following a careful review of these three references, the Applicant respectfully notes that Gillick et al. '545 teaches a vehicle having a heating and ventilation system including a duct having an inlet 117 feeding air from the interior of the vehicle to heating/cooling elements 118 which are positioned in the floor of the vehicle. The Applicant notes that the duct 119 feeding air to the heating and ventilation system comprises conventional separate ducting and is positioned along the side of the vehicle approximately midway between the front and rear.

Gillick et al. '545 clearly does not teach the aspects of the Applicant's claimed invention of “a common air intake directing air from the interior living area to both the furnace and the air-conditioning units wherein the common air intake comprises four adjoining inner surfaces of the rear coach panel, one of the side coach panels, and two inner surfaces of the first and second adjoining interior trim panels” (Claim 1 as currently amended). As mentioned in previous

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responses, the Applicant notes that the tight weight, size, spacing, and cost considerations involved in motorhome manufacture recommends efficient use of materials and structures and that the novel arrangement of construction materials provided in the Applicant's invention as claimed provides the significant advantage that materials that are already present in the motorhome for other uses, such as the side and rear coach panels forming the structure of the motorhome and the interior trim panels providing decorative covering as well as utility storage space is also configured to provide the internal ducting for the novel HVAC system of the Applicant's invention.

The Applicant notes that Schoenbachler et al. teaches an air-conditioning system for a mobile home, such as a trailer also with a substantial portion of the air ducting and components of the air-conditioning system positioned within or below a floor of the mobile home. A review of the Browne '502 reference reveals that a motor vehicle ventilation system is taught wherein air is drawn both from the interior and the exterior of the vehicle via louvres and fed into ducting extending longitudinally along the roof portion of the motor vehicle towards the rear of the vehicle and expelled for cooling of the traction motor(s). The ventilation system of Browne '502 employs structural panels of the motor vehicle as well as interior finish plates 33 as shown in Figures 1-6 and described in column 2. However, the Applicant respectfully notes that the air ducting structures of Browne '502 extend substantially completely across the extent of the rear panel of the motor vehicle thus utilizing effectively all available space and volume across the rear extent of the motor vehicle from top to bottom and side to side for this air ducting.

The Applicant respectfully notes that the combined teachings of Browne '502 when added to the teachings of Schoenbachler et al. '885 and Gillick et al. '545 still do not arrive at the Applicant's claimed invention of "a common air intake directing air from the interior living area to both the furnace and the air-conditioning units wherein the common air intake comprises four adjoining inner surfaces of the rear coach panel, one of the side coach panels, and two inner surfaces of the first and second adjoining interior trim panels" (Claim 1 as currently amended). The Applicant respectfully notes that the invention as claimed provides the advantage of utilizing one of the side coach panels and two adjoining interior trim panels such that the common air intake is formed and positioned in one of the corners of the vehicle but does not extend the full extent of the rear area of the motorhome so as to leave the remaining area and volume free for

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placement of other structures such as storage closets, sinks, vanities, entertainment centers, and the like. It will be appreciated that in the extremely limited volume available in a motorhome efficient utilization of space as provided by the Applicant's invention is a particular advantage.

The Examiner also rejected Claims 2 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Gillick et al. '545 as twice modified as applied to Claims 1 and 9 and further in view of the well known prior art. In particular, the Examiner noted that Gillick et al. '545 as twice modified lacks a filter or filter assembly positioned within the air intake. However, as previously discussed, the Applicant respectfully notes that the combined teachings of Gillick et al. '545, Schoenbachler et al. '885, and Browne '502 fail to teach or suggest the features of the Applicant's claimed invention of "a common air intake directing air from the interior living area to both the furnace and the air-conditioning units wherein the common air intake comprises four adjoining inner surfaces of the rear coach panel, one of the side coach panels, and two inner surfaces of the first and second adjoining interior trim panels" (Claim 1 as currently amended). Thus, as similar changes have been made to Claim 9 by this paper, the Applicant believes that the depending Claims 2 and 11 derive additional patentable weight due to their dependence on Claims 1 and 9 as currently amended and are patentable under 35 U.S.C. § 103(a) under the combined teachings of Gillick et al. '545, Schoenbachler et al. '885, and Browne '502 as well as the well known prior art.

The Examiner further rejected Claims 1, 3-10, and 12-17 under 35 U.S.C. § 103(a) as being unpatentable over Gillick et al. '473 in view of the Schoenbachler et al. '885 and Browne '502 references. A careful review of the Gillick et al. '473 reference indicates that Gillick et al. teaches an air distribution system for a motor vehicle including a variety of arrangements for intake ducting and delivery of air within the motor vehicle where the ducting of the Gillick et al. '473 includes the use of structural and interior trim panels of the motor vehicle for both fresh and recirculated air including an air-conditioning unit and a heating unit. However, the Applicant respectfully notes that Gillick et al. '473 does not teach or suggest the novel arrangement of the common air intake of the Applicant's claimed device and even when combined with the teachings of the Schoenbachler et al. '885 and the Browne '502 references taken separately or in complete combination still fail to teach or suggest the features of the Applicant's claimed invention of "a common air intake directing air from the interior living area

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to both the furnace and the air-conditioning units wherein the common air intake comprises four adjoining inner surfaces of the rear coach panel, one of the side coach panels, and two inner surfaces of the first and second adjoining interior trim panels" (Claim 1 as currently amended). As similar changes are made by this paper to Claim 9, the Applicant believes that Claims 1-3, 9-12, and 17-20 are patentable under the requirements of 35 U.S.C. § 103(a) under the combined teachings of the Gillick et al. '473, the Schoenbachler et al. '885, and the Browne '502 references.

The Applicant further has amended Claim 17 and added Claims 18-21 to further distinctly claim what the Applicant regards as the invention. In particular, the Applicant notes the first and second adjoining interior trim panels extend generally vertically in a rear interior corner of the motorhome and the additional adjoining third and fourth trim panels extend generally horizontally across the upper interior rear edge of the motorhome as can be seen in Figures 1 and 2. In one embodiment, the third and fourth trim panels enclose and locate the filter 173 (cf. Figs. 1 and 2 of the subject application). The Applicant notes that this claimed subject matter is clearly illustrated in the original application and described in paragraph [0030] as, combined with interior surfaces of the coach, forming the common intake 171. The Applicant asserts that this does not constitute the addition of new matter to the application.

The Applicant also respectfully submits a supplemental Information Disclosure Statement for the Examiner's consideration. The Applicant notes that the cited references have been previously cited by the Applicant or the Office in related, commonly owned applications. The Applicant believes that the subject invention as presently claimed is patentable in view of the teachings of these references taken individually or in any combination.

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SUMMARY

From the foregoing, the Applicant believes that the application as currently amended complies with the requirements of 35 U.S.C. § 112, second paragraph, and is further patentable under 35 U.S.C. § 103(a) under the combined teachings of the Gillick et al. '545, Gillick et al. '473, Schoenbachler et al. '885, Browne '502, and the well known prior art as discussed above as well the cited references submitted herewith. The applicant also believes that the newly claimed subject matter does not introduce new matter to the application. The Applicant notes the Examiner's indication of acceptance of the proposed drawing changes and will submit formal drawings including these changes upon receipt of a Notice of Allowability.

Thus, the Applicant believes that the application is now in a condition for allowance and respectfully requests the prompt issuance of a notice of allowance. The Applicant believes that this paper is fully responsive to the rejections raised by the Examiner in the Office Action and the concerns indicated in the Advisory Action. However, should there remain any further impediments to the allowance of this application, the Applicant respectfully requests the Examiner to contact the Applicant's undersigned representative at the indicated telephone number.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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